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10 **UNITED STATES DISTRICT COURT**
11 **WESTERN DISTRICT OF WASHINGTON AT TACOMA**

12 TRAVELERS CASUALTY AND SURETY
13 COMPANY OF AMERICA, a Connecticut
14 corporation,

15 Plaintiff,

16 v.

17 SPECIALIZED LANDSCAPING, INC., a
18 Washington corporation; MICHAEL B.
19 PILAND, and ROBIN STEPHANIE
20 PILAND,

21 Defendants.

22 SPECIALIZED LANDSCAPING, INC., a
23 Washington corporation;

24 Third Party Plaintiff,

25 v.

26 ELLIOTT BAY PUBLISHING, INC.
27 d/b/a ELLIOTT BAY
MANAGEMENT GROUP, a
Washington corporation; LYNN
TAYLOR and JANE DOE TAYLOR,
husband and wife and their marital
community,

Third Party Defendants,

NO. CV04-5789 FDB

STIPULATION AND
[PROPOSED] ORDER
FOR DISMISSAL WITHOUT
PREJUDICE

STIPULATION AND ORDER FOR
DISMISSAL WITHOUT PREJUDICE - 1

SCHIFFRIN OLSON SCHLEMLEIN & HOPKINS, P.L.L.C.

1601 Fifth Avenue, Suite 2500
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ELLIOTT BAY PUBLISHING, INC.,
d/b/a ELLIOTT BAY
MANAGEMENT GROUP,

Third Party Plaintiffs,

v.

MICHAEL PILAND and ROBIN
STEPHANIE PILAND, husband and
wife and their marital community,

Third Party Defendants.

COMES NOW the above-captioned plaintiff Travelers Casualty & Surety Company of America ("Travelers") and the defendants Specialized Landscaping, Inc., Michael Piland and Robin Stephanie Piland, and stipulate and agree as follows:

1. That all claims of Travelers against Specialized Landscaping, Inc., Michael Piland and Robin Stephanie Piland, and all claims of Specialized Landscaping, Inc., Michael Piland and Stephanie Piland against Travelers are dismissed without prejudice and without an award of costs or attorney's fees to any party.

2. That nothing herein affects the remaining claims in this lawsuit.

Dated:

SCHIFFRIN OLSON SCHLEMLEIN & HOPKINS,
P.L.L.C.

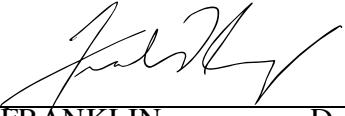
By: _____
Andrew W. Torrance, WSBA #11546
Attorneys for plaintiff Travelers Casualty and
Surety Co. of America

1 Dated:

2
3 By: _____
4 Mark Clausen, WSBA #
5 Attorney for Defendants Michael Piland, Stephanie
6 Piland and Specialized Landscaping, Inc.

7 ORDER

8 IT IS SO ORDERED at Tacoma, Washington, this 4th day of January 2006.

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11 FRANKLIN D. BURGESS
12 UNITED STATES DISTRICT JUDGE
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